

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JANICE G. DAVIS

COMPLAINANT

v.

KENTUCKY WEST VIRGINIA GAS COMPANY  
and EQUITABLE GAS COMPANY

DEFENDANTS

CASE NO. 94-334

ORDER TO SATISFY OR ANSWER

Kentucky West Virginia Gas Company ("Kentucky West") and Equitable Gas Company ("Equitable") are hereby notified that they have been named as defendants in a formal complaint filed on September 6, 1994, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, Kentucky West and Equitable are HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 14th day September, 1994.

ATTEST:

Don Mills  
Executive Director

PUBLIC SERVICE COMMISSION

Robert M. Davis  
Chairman

Robert M. Davis  
Vice Chairman

Linda K. Breathitt  
Commissioner

RG

Janice G. Davis  
227 Cow Creek Road  
Prestonsburg, KY 41653

606-874-2802

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Janice G. Davis  
(Your Full Name)

COMPLAINANT

vs. Ky. & W. Va. Gas Co. and  
Equitable Gas Co.  
(Name of Utility)

DEFENDANT

RECEIVED

SEP 08 1994

PUBLIC SERVICE  
COMMISSION

94/334

C O M P L A I N T

The complaint of Janice G. Davis respectfully shows:  
(Your Full Name)

(a) Janice G. Davis  
(Your Full Name)

227 Cow Creek Road, Prestonsburg, Ky,  
(Your Address) 41653

(b) Equitable Gas Co. & Ky. & W. Va. Gas Co.  
(Name of Utility)

Prestonsburg, Ky. 41653  
(Address of Utility)

(c) That: See attached statement.  
(Describe here, attaching additional sheets if

necessary, the specific act, fully and clearly, or facts

that are the reason and basis for the complaint.)

Continued on Next Page

The facts of this matter are as follows:

1. In 1967 I purchased my home on Cow Creek in Floyd County, near Prentonsburg, Ky. The first year I lived here I had some problems with my gas freezing off due to a small orifice in my regulator. After I had that replaced, I never had any problem whatsoever with my gas freezing off even though it sat out in the open with no insulation around it.

2. About three years ago, the well that I receive gas from was drilled deeper in order to get it to produce more gas. Also, a booster station was set up for this well. The end result of all this is that the well started producing a tremendous amount of water. Since my line is the one closest to the well, I get most of it. No amount of insulation or blowing the drip seems to help. This well is approximately 500-700 feet below my home and is across a creek that gets pretty wild during the winter. For the past three winters I have just about frozen to death. I have a forced air furnace that cycles on and off, so I am not aware of the fact that the gas is off until the house is cold. I then have to freeze until someone can thaw out the lines and get the gas back on.

3. My gas bill had been running a little high, so about two months ago I asked Ralph Slone, the meter reader for Ky. & W.Va. Gas Co., to check my line for leaks. There were some leaks in the line and also my high pressure and medium pressure regulators were leaking. At that time I had all the leaks repaired and I replaced the two leaking regulators with the one medium pressure internal relief regulator that was suggested by Mr. Slone.

I had the new internal relief regulator placed where my line connected to the service line, and I had the low pressure regulator and meter moved up to my home. I had it placed near a utility building that I have so that I can have access to electricity and can put a heat tape on the exposed lines. The leaky regulators were not costing me anything because they weren't going through the meter, but I had them replaced because I didn't want anyone who may be trying to thaw out my lines to get hurt.

I called Mr. Slone and asked him to come and check out everything. To see that I had everything hooked up correctly and all the leaks stopped. He said everything was O.K. and he took a sniffer and determined that all the leaks were fixed. I was out over \$400.00 on new equipment.

Mr. Slone can tell you how much trouble I have had with my gas, because he has come to help me several times at 2 and 3 o'clock in the morning, at his own expense, to get my gas back on. At that time I thought the gas company was paying him to do this, but I found out later they weren't. I don't know what I would have done without him.

I am a 53 year old single woman living by myself. I draw a disability due to a herniated disc in my lower back. I became disabled in 1986 due to a fall. At that time I was bedfast for about four months. I went to the doctor and to the bathroom, other than that I was in bed. I have never experienced pain like that before in my life, except during child birth. The disc was pressing on my sciatic nerve in my left leg and I could not walk completely upright for about a year and a half. I would hate to get another fall on a slick wintery night and end up bedfast again, trying to get my gas back on.

I also have asthma which is triggered by cold air and emotional upsets as well as allergies. I have already been in the hospital once this year for this condition, and I am currently having a sever attack with it.

I have six grandchildren, the youngest of which is nine months old. Sometimes I keep them over night and should the gas freeze off with them here, which has happened in the past, I could not leave them alone to go 500-700 feet away from the house, even if I was otherwise able to.

4. About a month ago, one of the other employees noticed that the meter had been moved and reported it to Larry Francis. I then received a letter from a Ms. Catherine Redd telling me to pay \$150.00 to have them move the meter back or my gas MAY be cut off.

I then contacted Mr. Scott Smith with the PSC and discussed the situation with him. He had a Mr. Amburgy go to Ky. & W.Va. Gas Co. and talk with a Mr. R.T. Daniel to try to persuade them to let the meter stay where it is but he would not agree. I later went in personally and talked with Mr. Daniel to explain the situation I was in but he said that Ky. and W.Va. Gas Co. was a pipe line company and that they were governed by the Federal Energy Reg. Commission in Washington D.C. and not by the PSC. I told him that I was going to contact them to see what their regulations were. Mr. Daniel said he would mail me their address. On Monday, the same day I received the address in the mail, Mr. Daniel had some of Ky. & W.Va. Gas Co. employees to come to my home to remove the meter. I told them I couldn't let them do that until it could be adjudicated by the courts, FERC, or the PSC. That if it was moved it would be a moot point. Later on that same day, my gas was cut off and a lock put on it.

I talked with a Bob Szekeley who is with FERC and he told me that Ky. & W.Va. Gas Co. had no authority that he knew of to cut my gas off. That the only tariff that allowed them to cut off my gas was a temporary cut off for non payment of my bill. This was not the case, because my bill is always paid on time by an automatic withdrawal from my checking account. Later, after checking with some other people concerning this matter, Mr. Szekeley called me back and said because I was a customer of Equitable Gas that the complaint should be heard by the PSC. Since my gas was cut off at the direction of Mr. Daniel on behalf of Ky. & W.Va. Gas Co., I strongly question their right to cut off my gas even if state regulations under the PSC would have given Equitable Gas the legal right to do so.

I heat with gas, have a gas hot water heater, and I cook with gas. Cold weather is at hand and I can't cook or bath because of the situation instigated by Mr. R. T. Daniel and Ky. & W. Va. Gas Co.

I would like to request an informal hearing as soon as possible before the PSC to settle this matter. If it is determined

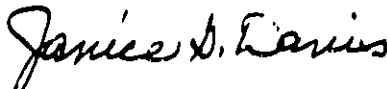
by the PSC that the wording in their rules ".....gas meters, and the connection thereof, with the gas producing well or pipe line shall be under the supervision of the Public Service Commission, or an agent thereof, and shall conform to such standards of safety, location and convenience as may be prescribed by the Commission." and the wording of KRS.485 which reads "(6) All metering and regulating equipment shall be as near to the gathering line as practicable, in accordance with safe and accepted operating practices." is construed to mean that the meter shall be right on the main line, then I would like to ask for a special variance in my case due to the physical conditions and circumstances set out above.

I also feel that since I have previously talked with Mr. Daniel, to no avail, that we might have a better chance of an amicable solution to this matter if someone other than Mr. Daniel would represent Equitable Gas Co.

I would also like to request that in the event this matter cannot be worked out at an informal hearing, that a formal hearing be held. Should this be the case, I would like to have Ralph Slone and William Harless, who are meter readers, subpoenaed as witnesses. I would like to have all records subpoenaed dating back to 1952 when these new rules went into effect, that show all customers in Floyd and it's surrounding counties, that have meters that are not on the main gathering line. I am told by numerous sources that there are quite a few that don't meet the same standards that they are requiring of me.

Again I would like to request that an informal hearing as soon as possible because I am without heat.

Yours very truly,



Janice G. Davis

Formal Complaint

Janice G. Davis vs Ky + W. Gas Co. + Equitable Gas  
(Your Name) (Utility Name)

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Wherefore, complainant asks That my gas be turned  
(Specifically state the  
back on and my meter and low pressure  
(relief desired.)  
regulator left near my house so that  
I can maintain them.

Dated at Prestonsburg, Kentucky, this 2nd day  
(Your City)  
of September, 1994.  
(Month)

Janice G. Davis  
(Your Signature)

(Name and address of attorney, if any)